(1)

C.F. 1001

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 1313 **/2006**

PETITIONER

Dr. S.K.S. Gaharwar,
S/o. Late Shri D.S. Gaharwar,
Aged about 51 years,
Veterinary Assistant Surgeon,
I/c. Veterinary Hospital,
Raigarh (C.G.)

P.R. No. 1353/06 Dt. Pd. 9/3/06
Presented by AKB/Rishi
Filed

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through its Principal
Secretary, Department of
Agriculture (Veterinary),
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

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9/3/06
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2. Director,
Veterinary Services
Chhattisgarh, Raipur (C.G.)

3. Deputy Director,
Veterinary Services,
Raigarh (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION AND FOR OTHER SUITABLE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1313/06, 1314/06 & 1315/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

W.P.No.1313/2006, 1314/2006 & 1315/2006

3-4-2006

Shri Manindra Shrivastava, Sr. Advocate with Shri Ashish Shrivastava, counsel for the petitioners.

Shri Sushil Dubey, Govt. Advocate for the State.

By this common order W.P.No.1313/2006, 1314/2006 & 1315/2006 shall be disposed of.

Heard.

The petitioners were appointed as Members of the Technical Committee vide order dated 27-1-2005 for vaccination and examination of various animals under the special scheme for distribution of animals to the weaker sections of the society by the State of Chhattisgarh. The petitioners' job was to check up the medical fitness and matters related to the health of the animals. It is contended that distribution job was not done by the petitioners and that was done by the other officials under the supervision of Joint Director/ Deputy Director.

Shri Shrivastava, learned senior counsel appearing for the petitioners, contended that the suspension order was passed on the ground that the petitioners had committed illegality and irregularity in distribution, but that was not the job of the petitioners and the suspension order is wholly arbitrary. Learned counsel contended that Dr. S.K.S. Gaharwar (petitioner in W.P.No.1313/2006) submitted his representation on 8-2-2006 as per Annexure-P/9, Dr. D.K. Patel (petitioner in W.P.No.1314/2006) submitted his representation on 8-2-2006 as per Annexure-P/9 & Dr. B.L. Gupta (petitioner in W.P.No.1315/2006) submitted his representation on 20-2-2006 as per Annexure-P/9. It is contended that while issuing notice by this Court on 27-3-2006 the

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WP 1313/06, 1314/06 & 1315/06

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

respondents were directed to submit the reply by 3-4-2006 and in the meantime it was also directed to decide the representation of the petitioners. it is pointed out that neither the reply has been filed nor representation has been decided by the respondent authorities.

On the other hand, Shri Dubey, learned counsel appearing for the State, contended that if the representations submitted by the petitioners are not decided the same will be decided within a period of ten days.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioners to make statutory appeals within a period of five days from the date of this order before the competent authority and on such statutory appeal being filed, the competent authority shall decide the same on its own merits in accordance with law as early as possible preferably within a period of ten days from the date of receipt of statutory appeal. It is made clear that if any grievance still remains, the petitioners may avail the remedy available under the law.

With the aforesaid observations and directions the writ petitions No.1313/2006, 1314/2006 & 1315/2006 stand disposed of.

Consequently, pending applications, if any, also stand disposed of.

Copy of this order be placed on the record of writ petitions No. 1313/2006, 1314/2006 & 1315/2006.

Certified copy as per rules.

Copy to State counsel.

Sd/-
Fakhruddin
Judge

Gowri

13.4.06 5.4.06

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